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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/993,972

11/14/2001

Glen J. Anderson

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7956

7590

07/15/2004

GATEWAY, INC.

Attention: Kenneth J. Cool

610 Gateway Drive, MD Y-04

N. Sioux City, SD 57049

EXAMINER

MISTRY, O NEAL RAJAN

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,972

Applicant(s)

ANDERSON ET AL.

Examiner

O'Neal R Mistry

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2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined.
2. Claims 1-25 are presented for examination.

Drawings

3. The Examiner contends that the drawings submitted on November 11, 2001 are acceptable for the examination proceedings.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-7, 10-16, 19-22, 25 rejected under 35 U.S.C. 102(b) as being anticipated by Mano et al. ((U.S. Patent Number 5,793,366).

5. In regards to claim 1, Mano discloses monitoring a plurality of ports included on the information handling system (col. 3 lines 2-10);

determining utilization by a device of a port of the plurality of ports, the device communicatively coupled to at least one port of the plurality of ports(col. 3 lines 11-20); and

configuring a user-interface operating on the information handling system based on the determined utilization by the device of the port of the plurality of ports (col. 2 lines 60-62 & col. 3 lines 2-8).

6. In regards to claim 2, Mano states determined utilization by the device of the port includes which port of the plurality of ports to which the device is communicatively coupled (col. 3 lines 20-31).

7. In regards to claim 3, Mano states configuring includes arranging content displayed on a display device of the information handling system, the content corresponding to devices communicatively coupled to the ports in a manner corresponding to usage by the devices of the ports (col. 3 lines 51-67 & Figure 4).

8. In regards to claim 4, Mano discloses arranging includes positioning the display of content in a priority based on the utilized ports (col. 4 line 64- col. 5 line 5).

9. In regards to claim 5, Mano states the user-interface is arranged so that content corresponding to a first device and content corresponding to a second device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

10. In regards to claim 6, Mano discloses priority is assigned to at least a portion of the plurality of ports, the priority utilized to configure the user interface (col. 4 line 64 – col. 5 line 6). The examiner interprets the claim in the broadest form when a external device is set to be active by the user interface, the priority of the device is set higher then any other external device. This would allow the graphical user interface to display functions buttons that apply only to the external device.

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11. In regards to claim 7, Mano states the plurality of ports includes a first port located on a front portion of a chassis of the information handling system and a second port located on a rear-portion of the chassis of the information handling system (col. 3 lines 2-5). It is inherent, that when in a computer system has a plurality of ports, that location of the ports can range from the front to the back of chassis of the information handling system.

12. In regards to claim 10, Mano discloses configuring the user interface based on an output device communicatively coupled to the information handling system (Mano's patent col. 4 lines 8-15).

13. In regards to claim 11, Mano states configuring the user interface based on applications operating on the information handling system (col. 4 line 64 –col. 5 line 1).

14. In regards to claim 12, Mano states A method of configuring a user interface of an information handling system based on utilization of ports included with the information handling system, comprising:

monitoring a plurality of ports included on the information handling system(col. 3 lines 2-10;

determining utilization by a first device communicatively coupled to a first port and a second device communicatively coupled to a second port of the plurality of ports (col. 3 lines 11-20); and

configuring a display of a user-interface operating on the information handling system based on the determined utilization of the first port and the second port of the plurality of ports, wherein configuring includes arranging the

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user-interface so that content corresponding to the first device and content corresponding to the second device is displayed based upon the ports utilized by the first device and the second device ports (col. 3 lines 2-8 & col. 3 lines 51-67 & Figure 4).

15. In regards to claim 13, Mano discloses arranging includes positioning the display of content in a priority based on the utilized ports (col. 4 line 64- col. 5 line 5).

16. In regards to claim 14, Mano states the user-interface is arranged so that content corresponding to a first device and content corresponding to a second device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

17. In regards to claim 15, Mano discloses priority is assigned to at least a portion of the plurality of ports, the priority utilized to configure the user interface (col. 4 line 64 – col. 5 line 6). The examiner interprets the claim in the broadest form when a external device is set to be active by the user interface, the priority of the device is set higher then any other external device. This would allow the graphical user interface to display functions buttons that apply only to the external device.

18. In regards to claim 16, Mano states the first port is located on a front portion of a chassis of the information handling system and the second port is located on a rear-portion of the chassis of the information handling (col. 3 lines 2-5). It is inherent, that when in a computer system has a plurality of ports, that

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location of the ports can range from the front to the back of chassis of the information handling system.

19. In regards to claim 19, Mano discloses an information handling system, comprising:

a plurality of ports suitable for communicatively coupling the information handling system to a device (col. 3 lines 2-10);

a memory suitable for storing a program of instructions (col. 8 lines 1-24);

a display device suitable for outputting a display of information (col. 8 lines 1-24); and

a processor suitable for performing a program of instructions, the processor

communicatively coupled to the plurality of ports, the memory and the display device wherein the program of instruction configures the processor to monitor the plurality of ports so that utilization of the ports by devices is employed to cause the processor to configure a display of a user interface so that content corresponding to each of the devices is arranged based upon which of the ports is utilized by the devices. (col. 8 lines 1-24 & col. 4 line 64 – col. 5 line 5 & col. 3 lines 2- 8).

20. In regards to claim 20, Mano discloses arranging includes positioning the display of content in a priority based on the utilized ports (col. 4 line 64- col. 5 line 5).

21. In regards to claim 21, Mano states the user-interface is arranged so that content corresponding to a first device and content corresponding to a second

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device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

22. In regards to claim 22, Mano states the plurality of ports includes a first port located on a front portion of a chassis of the information handling system and a second port located on a rear-portion of the chassis of the information handling system (col. 3 lines 2-5). It is inherent, that when in a computer system has a plurality of ports, that location of the ports can range from the front to the back of chassis of the information handling system.

In regards to claim 25, Mano states An information handling system, comprising:

means for communicatively coupling the information handling system to a peripheral device (col. 3 lines 2-10);

means for storing a program of instructions (col. 8 lines 1-24);

means for displaying, the display means suitable for outputting a display of information(col. 8 lines 1-24); and

means for processing, the processing means suitable for performing a program of instructions, the processing means communicatively coupled to the communication means, the memory and the display means wherein the program of instruction configures the processing means to monitor the communication means so that utilization of the communication means so that utilization of the communication means by peripheral devices is employed to cause the processing means to configure a display of a user interface on the display means so that content corresponding to each of the devices is arranged based upon

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which of the communication means is utilized by the devices (col. 8 lines 1-24 & col. 4 line 64 – col. 5 line 5 & col. 3 lines 2- 8)..

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

23. Claims 8,9,17,18,23,24 rejected under 35 U.S.C. 103(a) as being unpatentable over Mano et al (U.S. Patent Number 5,793,366), hereafter referred as Mano, in view of Fujiyoshi et al (U.S. Patent Number 6,384,925), hereafter referred as Fujiyoshi.

24. In regards to claim 8, Mano discloses a graphical user interface (GUI) that displays graphical images representing devices connected to a bus structure. The bus structure allows a compact disk (CD) changer, a magnetic disk (MD) recorder, a stereo amplifier, a television, a video printer and a digital video

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cassette recorder (VCR), and etc., to be connected to bus structure, which each unit that is connected to the bus is graphically represented by the GUI. The images exhibited to the user are items connected to the CPU by ports, and also lets the user view the information on each of the units or lets the user have the ability to control the function of the each unit. Mano fails to disclose the ability for the user to assign a priority to a particular port. Mano allows a plurality of ports to change their priority, but does not allow the user to control port 1 to have a only the priority of 1 (priority 1, meaning the highest priority) via a graphical user interface.

Fujiyoshi discloses an information processing apparatus having the ability for outputting data to a plurality of output units. The output units' information (i.e. unit's name, port connection, and priority) is set via a graphical user interface which the user inputs. After the information of the output unit is set, information processing apparatus investigating every output unit to determine whether the output has developed any problems. If problems do occur with output units a message will be displayed on the graphical user interface to notify the user, which the information processing apparatus will verify the additional plurality of ports to redirect information to other output units. Fujiyoshi also states, "a higher priority is assigned the first port than the second port, the priority utilized to configure the user interface (col. 4 lines 32-42).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to by adding this information process apparatus

in Fujiyoshi's patent into Mano's graphical user interface that reads/sends information from external units via ports.

It modification would have been obvious because one of ordinary skill in the art would have been motivated to search for a system that contains port manager controller because this improves the network efficiency and fault tolerance of a network, and it is desirable to display the status and settings of each port of an external device. Also one of ordinary skill in the art would be motivated to investigate an information processing apparatus that detects problems in ports of output units, has a the ability to set priority by the user via a graphical user interface, and has the ability to redirection information from a plurality of ports.

25. In regards to claim 9, Fujiyoshi states configuring includes at least one of placing a display of information in an order of priority and displaying information corresponding to the location of the ports corresponding to devices connected to the information handling system (col. 3 lines 32-42, col. 2 lines 52- 67, & Figure 3).

26. In regards to claim 17, Fujiyoshi discloses a higher priority is assigned the first port than the second port, the priority utilized to configure the user interface (col. 4 lines 32-42).

27. In regards to claim 18, Fujiyoshi states configuring includes at least one of placing a display of information in an order of priority and displaying information corresponding to the location of the ports corresponding to devices connected to

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the information handling system (col. 3 lines 32-42, col. 2 lines 52- 67, & Figure 3).

28. In regards to claim 23, Fujiyoshi a higher priority is assigned the first port than the second port, the priority utilized to configure the user-interface. (col. 1 lines 56-62 & col. 2 lines 1-6).

29. In regards to claim 24, Fujiyoshi states configuring includes at least one of placing a display of information in an order of priority and displaying information corresponding to the location of the ports corresponding to devices connected to the information handling system (col. 3 lines 32-42, col. 2 lines 52- 67, & Figure 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclose.

Mano et al. (U.S. Patent Number 5,793,366)

Fujiyoshi et al (U.S. Patent Number 6,384,925)


Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (703) 305-2738. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703)308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O'Neal Mistry
Assistant Patent Examiner
Art Unit 2173
o'neal.mistry@uspto.gov



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173